

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

STACY K. PERKINS,)	
)	
Plaintiff,)	
)	
vs.)	1:13-cv-1109-TWP-DML
)	
OFFICE OF CORPORATION)	
COUNSEL,)	
MELLISSA HAYDEN-KRAMER, and)	
AMY M. JONES)	
)	
Defendants.)	

Entry and Order Dismissing Action

I.

Plaintiff Stacy Perkins filed this sequel to No. 1:12-cv-490-JMS-DML. His action in doing so has raised concerns about the proliferation of lawsuits involving the same claims. Federal claims in No. 1:12-cv-490-JMS-DML were dismissed with prejudice in a final judgment entered on the clerk's docket on September 12, 2012. Perkins' appeal to No. 1:12-cv-490-JMS-DML as docketed as No. 13-2883 was dismissed for failure to prosecute. Perkins was given through April 11, 2014, in which to identify any claim asserted in the present case which was *not* identified in his Jurisdictional Memorandum in No. 13-2883 and any claim asserted in this action which was *not* based on the same conduct, events, or actions as formed the basis of the claims asserted in No. 1:12-cv-490-JMS-DML. He has responded with his *motion to identify any claims, etc.* filed on April 11, 2014. In addition, he has complied with the court's direction that he filed a copy of the Jurisdictional Memorandum in No. 13-2883.

Claim preclusion bars Perkins' claims against defendant Amy Jones because he made the same claims against this defendant in No. 1:12-cv-490-JMS-DML and that suit resulted in a judgment against him. *See Tartt v. Nw. Cmty. Hosp.*, 453 F.3d 817, 822 (7th Cir. 2006). And issue preclusion bars Perkins from bringing these claims against defendants Office of Corporation Counsel and Melissa Hayden-Kramer (who were not parties in the previous suit) because the claims he asserts were litigated and decided in that suit. *See Washington Group Int'l, Inc. v. Bell, Boyd & Lloyd LLC*, 383 F.3d 633, 636 (7th Cir. 2004). Even if claims against these latter defendants are not barred by issue preclusion, moreover, no remotely viable claim is asserted against them and the amended complaint is likewise dismissed as to them for failure to state a claim upon which relief can be granted. *Wilson v. Cook County*, 742 F.3d 775, 780 (7th Cir. 2014).

II.

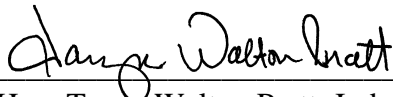
The *motion to identify any claims, etc.* [dkt 20] is **granted**.

The action is dismissed with prejudice. This disposition is procedurally appropriate because Perkins was granted leave to proceed *in forma pauperis* and 28 U.S.C. § 1915(e)(1) authorizes the dismissal of actions founded on complaints asserting claims which are legally insufficient.

Judgment consistent with this Entry shall now issue.

IT IS SO ORDERED.

Date: 1/26/2015


Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana

Distribution:

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